REMARKS

Claims 1-17 are pending.

The Examiner is respectfully requested to indicate whether the originally filed drawings have been accepted.

Claims 1-17 were rejected under 35 U.S.C. §102(b) as being anticipated by Kuno (US 5802494). The applicant respectfully traverses this rejection for the following reason(s).

Note that in order for an anticipation rejection to be proper, the anticipating reference must disclose exactly what is claimed. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California* , 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim."*Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Note here that the Examiner has not relied on "inherency," accordingly, each and every element must be expressly described in Kuno.

The present invention relates to a home robot using a supercomputer and a home network system having the same, and more particularly to, a home robot using a supercomputer and a home network system having the same which can minimize processing operations of the robot, perform the other processing operations in the supercomputer through a network, and enable the robot to

perform a command of a user by using the processing results. Communication between the home robot and the super computer is through a home gateway providing a path of communication there between.

Kuno, however, discloses the use of a robot in a hospital setting for monitoring a patient. The patient does not have to be responsive to the robot in order to be monitored. Accordingly, the patient is deemed to be the "subject" of observation by a physician, and the physician is deemed to be the "user" of the patient monitoring system.

Claim 1

Claim 1 is directed towards a system for controlling a home robot, comprising, in part, *a remote supercomputer responsive to a user's command for controlling said home robot, said user and said home robot being in a premises different from a location of said supercomputer.*

A review of Kuno find's no mention of a *supercomputer*.

The Department of Commerce Bureau of Export Administration 15 CFR Parts 770, 772, 773, 776, and 799, and in particular Sec. 770.2 Definitions of terms, defines a ``supercomputer" as "any computer with a Composite Theoretical Performance (CTP) equal to or exceeding 1,500 Mtops (million theoretical operations per second). For calculation of CTP, see the Technical Note that follows the Advisory Notes for Category 4 in the Commerce Control List (Supplement No. 1 to Sec. 799.1 of this subchapter)"; and Sec. 776.11 Supercomputers, defines a ``supercomputer" as "any computer with a Composite Theoretical Performance (CTP) equal to or exceeding 1,500 MTOPS (million theoretical operations per second). For calculation of the CTP, see the Technical Note that

follows the Advisory Notes for Category 4 in the Commerce Control List (Supplement No. 1 to Sec. 799.1 of this subchapter)."

In simpler terms, a "supercomputer" is generally defined as an extremely fast computer that can perform hundreds of millions of instructions per second.

We find no description in Kuno to suggest the use of a *supercomputer*.

Accordingly, Kuno fails to anticipate the claimed invention, thus the rejection is deemed to be in error and should be withdrawn.

Additionally, we note that with respect to the foregoing feature of claim 1, the rejection fails to identify which commands in Kuno are being considered to correspond to the claimed *user's commands.*

Note, *Ex parte Levy,* 17 USPQ2d 1461, 1462 (1990) states:

> "it is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference."

Note that, according to claim 1, it is required that *said user and said home robot being in a premises different from a location of said supercomputer.*

The Examiner has identified Kuno's monitor section 2, comprising a monitor console of the type shown in FIG. 5, to correspond to the claimed *supercomputer.* A user of the monitor section 2 must be at same location as monitor section 2. Therefor the requirement thathe user and the home robot be *in a premises different from a location of said supercomputer* is not anticipated.

We do not consider the patient to be the user, but is instead the "subject" under observation my the user (physician) at monitor section 2. Although Kuno discloses that the robot performs certain tasks in response to the patients input (see col. 4, lines 8+) these tasks are not deemed to be user commands, but instead are subject's responses.

Also, Kuno does not anticipate the requirement that *said home robot being controlled to perform only in response to command result signals generated by said supercomputer, said command result signals being generated in response to said user's command*, because the robot in Kuno is responsive to commands from the physician (user) at monitor section 2 and responses from the patient (subject).

Accordingly, the rejection of claim 1 is deemed to be in error and should be withdrawn.

Claim 10

The rejection of claim 10 is deemed to be deficient for the same reasons argued above with respect to claim 1.

Additionally, Claim 10 is directed towards a system for controlling a home robot, the system comprising the home robot, a home gateway and a supercomputer for controlling said home robot, wherein the supercomputer comprises, at least in part, *a control unit for extracting and interpreting one or more commands of the user and a status signal of the home robot from the user's commands received by the home gateway interface unit, said control unit generating a command response signal in response to each interpreted command and a status response signal in response to the*

status signal.

Looking to the rejection, we note that with respect to the foregoing feature, and in particular the claimed feature of *said control unit generating a command response signal in response to each interpreted command and a status response signal in response to the status signal* we find the Examiner has referred us to Fig. 4.

Fig. 4, however, is a perspective view showing the robot located in the sickroom or bedroom, and thus does not illustrate a *control unit* of a supercomputer. Accordingly, it is not clear from the rejection which element in Kuno the Examiner is relying on for *extracting and interpreting one or more commands of the user and a status signal of the home robot from the user's commands received by the home gateway interface unit.*

Accordingly, the rejection of claim 10 is deemed to be in error and should be withdrawn.

Also, claim 10 calls for *a service module unit responsive to each said command response signal for generating corresponding command result signals and responsive to said status response signal for generating corresponding status result signals, said command result signals and status result signals being transmitted to said home robot via said control unit and said home gateway interface unit over said network.*

Here the Examiner merely refers to Figs. 3-5 of Kuno, however, it is clear from the drawings of Figs. 3-5 that there is no disclosure of a service module *responsive to each said command response signal for generating corresponding command result signals and responsive to said status response signal for generating corresponding status result signals.* Additionally, none of Figs. 3-5

illustrate a *service module*. We note that the term *service module* is not used in Kuno, so it is not clear what element of the various elements depicted in Figs. 3-5 the Examiner is relying on to correspond to the claimed *service module*.

Further, the written description of Kuno must disclose the foregoing functions of the service module, that is, the functions of being *responsive to each said command response signal for generating corresponding command result signals and responsive to said status response signal for generating corresponding status result signals*. We find no disclosure of *command result signals* or *status result signals*.

Accordingly, the Examiner should identify which element in Figs. 3-5 corresponds to the claimed *service module* and those signals disclosed in Kuno which are being considered to correspond to the *command result signals* and *status result signals*.

See *Ex party Levy*, supra.

Deficiencies in the factual basis cannot be supplied by resorting to speculation or unsupported generalities. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967) and *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970).

Further, claim 10 calls for *a robot information managing unit for managing a general history of the home robot such as registration information, operation information, accident information and residential position for operations of the control unit.*

here the Examiner refers us to Kuno's col. 3, line 40 through col. 4, line 4, and indicates that the "managing history" is being considered as "taken picture of sick patient."

A review of the cited section of Kuno finds no description corresponding to the *general history of the home robot* and in particular fails to mention anything about the robot's *registration information, operation information, accident information and residential position for operations of the control unit.*

Accordingly, the rejection of claim 10 is deemed to be in error and should be withdrawn.

Claim 16

Claim 16 is directed towards a method for operating a home robot using a supercomputer, calling for, in part, *receiving a voice command of a user at the home robot.*

Here the Examiner refers us to Kuno's col. 23, lines 49-63. This section of Kuno, however, refers to a speech synthesizer but makes no mention of where the speech synthesizer is located. Additionally, Kuno discloses speakers built into the robot 5 or located at a patient's bedside. The speech synthesizer is outputting aural messages, **not** *receiving a voice command of a user at the home robot.* Again, note that the *user* is deemed to be the physician, not the patient, whereas the patient is deemed to be a subject. The physician provides commands for the robot to follow, whereas the patient provides responses, not commands.

Accordingly, the rejection of claim 16 is deemed to be in error and should be withdrawn.

Claim 16 calls for *converting the voice command into a digital voice command.* Here the Examiner again refers to Kuno's col. 23, lines 49-63. As noted above, there is no *voice command* being received, thus there is no *voice command* being converted into a *digital voice command.*

Accordingly, the rejection of claim 16 is deemed to be in error and should be withdrawn.

Claim 16 also calls for *synthesizing the response message into a synthesized voice message* and *transmitting the synthesized voice message to the home robot through the home gateway.*

Kuno clearly fails to disclose that the voice synthesizer is disposed at monitor section 2, and makes no mention of transmitting *synthesized voice message to the home robot through the home gateway.* Deficiencies in the factual basis cannot be supplied by resorting to speculation or unsupported generalities. *See In re Warner*, supra.

Accordingly, the rejection of claim 16 is deemed to be in error and should be withdrawn.

It has been shown, by the foregoing, that Kuno fails to "anticipate" the claimed invention because every element as set forth in the claims is **not** found, neither expressly nor inherently described therein.

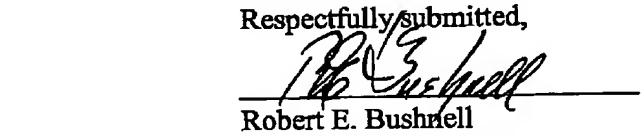
Additionally it has been shown that there are a number of differences between the claimed invention and Kuno, and as set forth in *Scripps clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001, 18 USPQ2d 1896 (Fed. Cir. 1991), "there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention."

Accordingly, the rejection of claims 1-17 is deemed to be in error and should be withdrawn.

The examiner is respectfully requested to reconsider the application, withdraw the objections and/or rejections and pass the application to issue in view of the above amendments and/or remarks.

Should a Petition for extension of time be required with the filing of this Response, the Commissioner is kindly requested to treat this paragraph as such a request and is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of the incurred fee if, **and only if**, a petition for extension of time be required **and** a check of the requisite amount is not enclosed.

Respectfully submitted,



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